

6M-10.002 Gold Seal Quality Care Accrediting Associations Program for Regulated Child Care

Facilities.

(1) Definitions.

~~(a) “Class I Violation” has the same meaning as provided for the same term in subparagraph 65C-22.010(2)(d)1., F.A.C.~~

~~(b) “Class II Violation” has the same meaning as provided for the same term in subparagraph 65C-22.010(2)(d)2., F.A.C.~~

~~(c) “Class III Violation” has the same meaning as provided for the same term in subparagraph 65C-22.010(2)(d)3., F.A.C.~~

~~(a) (d)~~ Gold Seal Quality Care Provider means a child care facility, family day care home, or large family child care home regulated by the Department of Children and Families (DCF), department or local licensing authority, or the United States, Department of Defense that meets the accreditation compliance requirements in section 1002.945(1) Section 402.281(1), F.S.

~~(b)~~ “Accrediting Association” means an entity that certifies early and school-age care providers and accredits programs that meet or exceed heightened standards following self-study and observation that standards are met and continue to be met during the period of accreditation.

~~(c) (e)~~ “Gold Seal Quality Care Accrediting Association” means an accrediting association that has applied to and been approved by the Division of Early Learning (DEL) Department as an accrediting association for the purpose of Gold Seal Designation pursuant to section 1002.945(3) Section 402.281(3), F.S.

~~(f)~~ “Regulated by the Department” means a child care facility that has been licensed by the Department or a child care facility that is exempt from licensure pursuant to Section 402.3025 or 402.316, F.S., that has agreed to periodic inspection by the Department as part of the application process.

~~(2) Gold Seal Quality Care Provider Requirements.~~

~~(a) Gold Seal Quality Care Provider Designation.~~

A child care facility regulated by the Department seeking designation as a Gold Seal Quality Care provider shall apply to the Department on form CF FSP Form 5386, Gold Seal Quality Care Provider Application, May 2019, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be obtained from the Department’s website at www.myflfamilies.com/childcare or from the following

link: http://www.flrules.org/Gateway/reference.asp?No=Ref_10472. Once reviewed and approved by the Department, the designation will be issued in the legal name of the provider. The designation will be effective the date approved by the Department through the duration of the provider's accreditation certification, up to a maximum of five years, unless terminated by the Department or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.

~~(b) A child care facility operating on a military installation must submit to the Department copies of any inspection reports conducted by the Department of Defense within 15 business days from the date of the inspection. The Department will review the inspection to determine compliance with criteria for the issuance of and to maintain an active Gold Seal Quality Care Provider Designation.~~

~~(c) In order to obtain and maintain Gold Seal designation, the applicant must:~~

~~1. Be accredited by an approved Gold Seal Quality Care Accrediting Association. The name and address on the accrediting association certificate required by form CF FSP Form 5386, must be the same as on the provider's license. A list of approved accrediting associations may be obtained from the Department's website at www.myflfamilies.com/childcare.~~

~~2. Meet the criteria of Section 402.281(4), F.S.~~

~~(d) To renew a Gold Seal Quality Care designation, the provider must submit CF FSP Form 5386 at least 30 days prior to expiration of the current designation. The Department cannot guarantee late filed renewal forms will be processed in time to avoid a lapse in the designation.~~

~~(3) Gold Seal Quality Care Enforcement.~~

~~(a) Gold Seal Quality Care providers must maintain accreditation and continuously meet the standards established by their Gold Seal Quality Care Accrediting Association in order to retain their designation. A provider's Gold Seal designation will be terminated upon expiration of its accreditation, or when its accreditation is surrendered or lost. The Gold Seal designation termination will be effective on the expiration date or on the date the accrediting association no longer acknowledges the provider's accreditation.~~

~~(b) A provider's Gold Seal designation will be terminated if the Department or local licensing agency determines the provider has committed a disqualifying minimum standards violation as defined in Section 402.281(4), F.S. The termination will be effective as of the date of final agency action on the termination.~~

~~(c) The Department will notify providers accredited by a Gold Seal accrediting association that has lost its~~

~~status as an approved accrediting entity and will afford such providers 180 days from the date of notification to obtain a new accreditation certificate from an approved Gold Seal Quality Care Accrediting Association. The Department will thereafter terminate the Gold Seal designation of any provider that is not accredited by an approved accrediting association at the conclusion of the 180-day period.~~

~~(2) (4) Gold Seal Quality Care Accrediting Association Requirements.~~

~~(a) An accrediting association seeking recognition as a Gold Seal Quality Care Accrediting Association must:~~

~~1. Have been active and accrediting child care facilities, licensed family day care homes, or large family child care homes in Florida for a period of five (5) years immediately prior to submission of an application to the DEL Department.~~

~~2. Hold an active corporation registration with the Florida Department of State to do business in Florida.~~

~~3. Submit and meet all requirements outlined on the Form DEL-GS06 ~~CF FSP Form 5315~~, Gold Seal Quality Care Accrediting Association Application, May ~~2022~~ 2019, which is incorporated by reference. Form DEL-GS06 ~~CF FSP Form 5315~~ may be obtained from the DEL's Department's website at www.floridaearlylearning.com www.myflfamilies.com/childcare or from the following link: (insert link) http://www.flrules.org/Gateway/reference.asp?No=Ref_10508.~~

~~4. Submit a crosswalk of the Accrediting Association's standards with the DEL's Department's Gold Seal Quality Standards.~~

~~(b) Applications will be accepted only in January and July each year. An accrediting association whose application is denied cannot reapply until at least six (6) months from the date of the denial.~~

~~(c) An application and all supporting documentation submitted by an accrediting association for approval as a Gold Seal Quality Care Accrediting Association will be evaluated in the manner described in Form DEL-GS07 Gold Seal Quality Care Program Review Process and Procedures, May 2022, which is incorporated by reference and may be obtained from the DEL's website at www.floridaearlylearning.com or from the following link: (insert link) ~~reviewed in consultation with entities described in Section 402.281(3), F.S.~~ Applicants must obtain an overall compliance percentage of 85% or higher of the standards outlined on form CF FSP 5389, Gold Seal Quality Care Accrediting Association Evaluation Manual for Child Care Facilities, April 2015. This form is incorporated by reference and a copy may be obtained from the Department's website www.myflfamilies.com/childcare or from the following link: http://www.flrules.org/Gateway/reference.asp?No=Ref_05514. The Department will evaluate~~

applications in the manner described in the Gold Seal Quality Care Program Review Process and Procedures, April 2015 document, which is incorporated by reference and may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link:
http://www.flrules.org/Gateway/reference.asp?No=Ref_05545.

(d) Applicants must obtain an overall compliance percentage of 85% or higher of the standards outlined on Form DEL - GS02 Gold Seal Quality Care Accrediting Association Evaluation Manual for Family Day Care Homes and Large Family Child Care Homes, May 2022, or Form DEL-GS04 Gold Seal Quality Care Accrediting Association Evaluation Manual for Child Care Facilities, May 2022. These forms are incorporated by reference and a copy may be obtained from the DEL's website at www.floridaearlylearning.com or from the following link: (insert link). An Accrediting Association approved by the DEL as a Gold Seal Quality Care Accrediting Association under this rule must ensure, when issuing accreditations to Florida child care providers for the purposes of Gold Seal designation, that the child care providers have met an overall compliance percentage of 85% or higher under the association's accreditation standards.

(e) ~~(d)~~ The DEL's Department's Gold Seal Quality Care Standards are established in Form DEL-GS03 CF-FSP Form 5387, Gold Seal Quality Care Accrediting Standards for Child Care Facilities Programs, May 2022, April 2015, and Form DEL-GS01, Gold Seal Quality Care Accrediting Standards for Family Day Care Homes and Large Family Child Care Homes, May 2022, which are incorporated by reference and copies may be obtained from the DEL's website at www.floridaearlylearning.com or from the following link: (insert link).

(f) ~~(e)~~ A Gold Seal Quality Care Accrediting Association approval is valid only for the entity to which it is issued for a maximum of five (5) years, unless terminated by the DEL Department or voluntarily surrendered during the approved period.

(g) ~~(f)~~ A Gold Seal Quality Care Accrediting Association must annually submit the Attestation ~~on~~ page 5 of the Gold Seal Quality Care Accrediting Association Application, Form DEL-GS06, CF-FSP 5315 on or before July 1st. If changes have occurred, the appropriate supporting documentation of the change must accompany the Attestation.

(h) ~~(g)~~ The following acts or omissions are grounds for revocation of an accrediting association's approval.

1. Failure to notify the DEL Department of a change in the association's administration, corporate structure or any condition under which the accreditation association was initially approved by the DEL Department.

2. Any changes resulting in the Association's inability to meet the criteria provided in section 1002.945 Section

402.281, F.S.

3. Contracting with or otherwise authorizing any other entity or parties, including affiliated groups and membership groups or subgroups, to issue accreditations to Florida child care providers for the purposes of Gold Seal designation.

4. Acts of fraud committed by an accrediting association.

(i) ~~(h)~~ A Gold Seal Quality Care Accrediting Association must notify the DEL Department, in writing, within fifteen days of a revocation or expiration of the accreditation of a child care facility, family day care home, or large family child care home provider in Florida. The notification must include a copy of the revocation or expiration letter issued to the provider, stating the specific reasons for revocation or expiration. Failure to provide the DEL Department such written notification will be grounds for terminating the association's approval as a Gold Seal Accrediting Association, and the association will be precluded from reapplying for approval for a period of two (2) years.

(j) ~~(i)~~ Gold Seal Quality Care Associations must apply to renew approval by submitting Form DEL-GS06 CF-FSP Form 5315 a minimum of six (6) months prior to end of the five-year approval period. ~~A current Gold Seal accrediting association whose approval expires prior to July 1, 2015, and which timely applies for renewal, will not be required to complete the standards crosswalk described in subparagraph (4)(a)4., above, or otherwise demonstrate its accreditation standards meet or exceed the Department's Gold Seal standards in order to have its approval renewed.~~

(k) ~~(j)~~ An accrediting association approved under this rule as a Gold Seal Quality Care Accrediting Association must notify the DEL Department and all of its accredited providers in writing six (6) 6 months in advance of any intent to surrender its approval or to allow it to expire. An approved accrediting association which fails to comply with this requirement will be precluded from re-applying for approval for a period of five (5) years from the lapse of the existing approval.

(l) ~~(k)~~ The DEL Department will not recognize Gold Seal accreditations issued by an entity that has not been approved as a Gold Seal Quality Care Accrediting Association.

(m) ~~(l)~~ An Accrediting Association approved by the DEL Department as a Gold Seal Quality Care Accrediting Association may not contract with or otherwise authorize any other entity or parties, including affiliated groups and membership groups or subgroups, to issue accreditations to Florida child care providers for the purposes of Gold

Seal designation.

(n) Gold Seal Quality Care Accrediting Associations must submit quarterly reports as required in section V of the Form DEL-GS06 that includes the name and full address of each accredited child care program, the accreditation effective and expiration date for each program, and any programs for which accreditation has expired or been terminated during the quarter. Failure to submit quarterly reports of accredited child care programs will be grounds for terminating the association's approval as a Gold Seal Accrediting Association. DEL will recommend the reason and length of the termination to the State Board.

(o) Any accrediting associations that were designated as a Gold Seal Quality Care Accrediting Association without being required to apply must submit an application and all supporting documentation by December 31, 2022 for approval as a Gold Seal Quality Care Accrediting Association. Child care providers accredited by these associations shall remain eligible to use their accreditation to obtain and maintain a Gold Seal designation until the accrediting association has been approved or denied by the DEL. Child care providers accredited by these associations will remain subject to the requirements outlined in 6M-10.001, F.A.C.

(3) Gold Seal Quality Care Accrediting Association Audits

(a) Each Gold Seal Quality Care Accrediting Association shall be audited by the DEL biennially to verify compliance with criteria outlined in section 1002.945(3)(a)4., F.S. Each accrediting association shall provide evidence of its accreditation process to DEL within thirty (30) calendar days of a DEL notification of the association's audit date. Documentation may be submitted electronically to DEL.

(b) Results from the audit shall be provided to the accrediting association upon DEL's determination that the audit is complete. Any issue of noncompliance with the criteria in section 1002.945(3)(a)4., F.S., shall result in corrective action or termination as a Gold Seal accrediting association.

1. If the DEL determines that an accrediting association is not in compliance with section 1002.945(3)(a)4., F.S., the accrediting association will be notified of corrective action requirements and the deadline to implement and comply with such requirements. Failure to comply with corrective actions within the timeframe indicated in the corrective action notice shall result in termination as a participating Gold Seal Quality Care Accrediting Association.

2. The DEL shall notify an accrediting association of termination as a participating Gold Seal Quality Care Accrediting Association a minimum of two (2) weeks prior to the termination date. Termination from participation as a Gold Seal Quality Care Accrediting Association shall be in effect for a minimum of two (2) years but not more

than five (5) years. DEL will recommend the reason and length of the termination to the State Board.

(c) A Gold Seal Quality Care Accrediting Association must annually submit the Gold Seal Accrediting Associations Annual Self-Assessment Survey, Form DEL-GS08, May 2022, on or before October 1st. This form is incorporated by reference and a copy may be obtained from the DEL's website at www.floridaearlylearning.com or from the following link: (insert link). If changes have occurred since the previous submission, the appropriate supporting documentation of the change must accompany the survey.

Rulemaking Authority 1002.945 ~~402.284~~ FS. Law Implemented 1002.945 ~~402.284~~ FS. History—New 5-1-08, Amended 1-13-10, 8-1-13, 7-7-15, 10-25-17, 6-12-19, Formerly 65C-22.009.